

REMARKS

Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

Claims 1, 8, and 10-14 have been rejected as anticipated by Tanaka et al., US 6,671,509. Claims 2-5, 15, 16, and 18-20 have been rejected as unpatentable over Tanaka et al. in view of Riordan et al., US 2003/0100297. Claims 6 and 7 have been rejected as unpatentable over Tanaka et al. in view of Kincaid, US 2004/0117785. Claim 9 has been rejected as unpatentable over Tanaka et al. in view of Ji et al., US 6,836,657. Claim 17 has been rejected as unpatentable over Tanaka et al. in view of Riordan et al. and Kincaid.

The Examiner's communication of February 27, 2006, together with the references cited therein, have been given careful consideration. After such consideration, and in an earnest effort to complete the prosecution of this application, the Applicants have set down the following arguments in support of the patentability of claims 1-20.

To assist the Examiner in reconsidering this application, the following is a presentation based on the language employed in claim 1 when read on the embodiment presented in Fig. 1 herein. Claim 1, as amended, recites a system for upgrading a plurality of mobile data acquisition devices. A software upgrade for use with the mobile data acquisition devices is located on a software management computer. The software management computer transfers the software upgrade from the software management computer to a local communications computer. The local communications computer transfers the

software upgrade to a docking device. The docking device transfers the software upgrade to the mobile data acquisition devices when the mobile data acquisition devices are docked in the docking device. The docking device simultaneously recharges the mobile data acquisition devices and transfers the software upgrade to the mobile data acquisition devices (Specification, page 7, lines 1-14).

Tanaka et al. and the other art of record do not disclose a system with these features. Claim 1, as well as claims 2-10 which depend from claim 1, are in condition for allowance.

To assist the Examiner in reconsidering this application, the following is a presentation based on the language employed in claim 11 when read on the embodiment presented in Fig. 1 herein. Claim 11, as amended, recites a system for upgrading a software application. The system includes a data acquisition device, a software management computer, and a local communications computer. The data acquisition device is for use with the software application. The software management computer transmits an upgrade of the software application from the software management computer to the data acquisition device. The local communications computer interconnects the data acquisition device and the software management computer. The local communications computer transfers the upgrade from the software management computer to the data acquisition device. The local communications computer transfers the upgrade to at least one other data acquisition device. The local communications computer includes a charging cradle for recharging a battery of the

data acquisition device while providing direct line power to the data acquisition device. The charging cradle transfers the upgrade to the data acquisition device (Specification, page 7, lines 1-14).

Tanaka et al. and the other art of record do not disclose a system with these features. Claim 11, as well as claims 12-14 which depend from claim 11, are in condition for allowance.

To assist the Examiner in reconsidering this application, the following is a presentation based on the language employed in claim 15 when read on the embodiment presented in Fig. 1 herein. Claim 15, as amended, recites a computer program product for upgrading a software application. The computer program product includes: a first instruction for initiating communication between a mobile device and a software management computer; a second instruction for initiating transfer of an upgraded portion of the software application from the software management computer to the mobile device; a third instruction for updating a master bill of materials index file by the software management computer reflecting the upgrade of the software application; and a fourth instruction for recharging the mobile device and powering the mobile device with direct line power (Specification, page 7, lines 1-14).

Tanaka et al. and the other art of record do not disclose a computer program product with these features. Claim 15, as well as claims 16-20 which depend from claim 15, are in condition for allowance.